

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3 are currently pending. Claims 1 and 3, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, specifically on page 21 (paragraph [0054] of Applicant's corresponding published application). Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1 and 3 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Number 6,339,676 B1 to Amada et al. (hereinafter, merely "Amada") in view of U.S. Patent Number 6,075,920 to Kawamura et al. (hereinafter, merely "Kawamura").

Claims 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Amada in view of Kawamura, and further in view of U.S. Patent Number 6,788,881 B1 to Kuroiwa et al. (hereinafter, merely "Kuroiwa").

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...recording means for recording said first video data, said first audio data, said low-rate data, and meta data corresponding to the first video data and first audio data onto the disc-shaped recording medium,

wherein said first video data, said first audio data, said low-rate data, and said meta data are recorded in continuous areas on the disc-shaped recording medium and are recorded in a particular sequence.....” (Emphasis added)

Applicant submits that neither Amada nor Kawamura, taken alone or in combination, that would teach or suggest the above identified features of claim 1. Specifically, neither of the references used as a basis for rejection describe said first video data, said first audio data, said low-rate data, and said meta data are recorded in continuous areas on the disc-shaped recording medium and are recorded in a particular sequence, as recited in claim 1.

Specifically, the Office Action (see page 2) asserts that Amada teaches periodically and continuously recording a signal, and refers to col.13, line 63 – col.14, line 14, and col.14, lines 52-67.

Applicant submits that the cited paragraphs of Amada (col.13, line 63 – col.14, line 14, and col.14, lines 52-67) describe a continuous recording signal SR3, and is reproduced as below:

“FIG. 9 is a waveform diagram showing an example of timings of the rotation of rotary drum 5 and the digital recording signal SR3. Illustrated at (A), (B) and (C) in FIG. 9 are the timing of the rotary drum 5 and the timings of digital recording signal SR3 in the standard play mode and the long play mode, respectively. At (A), during a period of low level, recording is effected by the magnetic head 2a or 2c and during a period of high level, recording is effected by the magnetic head 2b. As shown, in the case of the standard play mode, a continuous recording signal SR3 is recorded and in the case of the long play mode, a recording signal SR3 which is compressed on time domain to 1/N in synchronism with the rotation of the rotary drum 5 is recorded. In that case, since the transportation speed V of the magnetic tape 6 is controlled to 1/N of that in the standard play mode, the recording pattern is the same as that in FIG. 4

and consequently, tracks 63a and 63b having substantially the same track pitch Tp2 as that in the standard play mode are formed.” (See, Amada, col.13, line 63 – col.14, line 14)

“FIG. 11 is a waveform diagram showing another example of timings of the rotation of rotary drum 5 and the digital recording signal SR3, the timings corresponding to the head arrangement of FIG. 10. As in FIG. 9, there are illustrated the timing of the rotary drum 5 at (A), the timing of digital recording signal SR3 in the standard play mode at (B) and the timing of digital recording signal SR3 in the long play mode at (C), (D). At (A), during a period of low level, recording is effected by the magnetic head 2a or 2c and during a period of high level, recording is effected by the magnetic head 2b. As shown, in the case of the standard play mode, a continuous recording signal SR3 is recorded and in the case of the long play mode, a recording signal SR3 which is compressed on time domain to 1/N in synchronism with the rotation of the rotary drum 5 is recorded. The recording pattern in this case is similar to that of FIG. 4.” (See, Amada, col.14, lines 52-67)

Thus, in Amada, as shown at in Fig.9 and Fig.11, in case of long play mode, the recorded signal (C) is compressed on time domain to 1/N, and compared with in the long play mode, in the case of the standard play mode, the continuously recorded signal (A) is not compressed on time domain, *i.e.*, the recorded signal (A) is **continuous on time domain**.

However, Applicant submits that in the present invention, as shown in the example in FIG. 4 and 5A, the audio annual ring data, the video annual ring data, the auxiliary AV annual ring data, and the meta annual ring data formed on the basis of the reproducing time zones from the data series of the audio data, the video audio data, the auxiliary AV data, and the meta data **are written into the continuous empty areas on the optical disc as if they were drawn with a single stroke onto the empty areas on the optical disc** (See, Specification, page 21, paragraph [0054]). Thus, in the present invention, the first video annual ring data, the first audio annual ring data, the low-rate annual ring data, and the meta annual ring data **are located in continuous areas on the disc-shaped recording medium and are located in a particular sequence.**

Thus, Amada's signal recorded on continuous time domain has nothing to do with, and bears no resemblance to, Applicant's recorded data located in continuous areas on the disc-shaped recording medium and located in a particular sequence. Nothing has been found in Amada that teaches said first video data, said first audio data, said low-rate data, and said meta data are recorded in continuous areas on the disc-shaped recording medium and are recorded in a particular sequence, as recited in claim 1.

Furthermore, this deficiency of Amada is not cured by the teaching of Kawamura.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claim 3 is also patentable.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

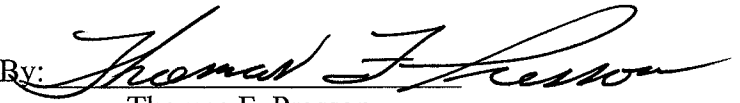
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800